

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

LEHMAN BROTHERS HOLDINGS, et al.,

MEMORANDUM AND ORDER

Debtors.

13 Civ. 4732 (NRB)

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FIRSTBANK PUERTO RICO,

14 Civ. 1935 (NRB)

Plaintiff-Appellant,

- against -

BARCLAYS CAPITAL INC.,

Defendant-Appellee.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 03/27/2014

WHEREAS on June 5, 2013, plaintiff-appellant FirstBank Puerto Rico ("FirstBank") filed a notice of appeal (the "2013 Appeal") from the Bankruptcy Court's May 23, 2013 Order (the "2013 Order") denying its motion for summary judgment;

WHEREAS briefing on the 2013 appeal was stayed pending the Bankruptcy Court's final resolution of the motion by defendant-appellee Barclays Capital Inc. ("Barclays") for civil contempt sanctions against FirstBank;

WHEREAS on January 23, 2014, the Bankruptcy Court issued an Order (the "2014 Order") granting Barclays contempt motion, entering judgment for Barclays in the amount of \$2,500,000, and dismissing FirstBank's claims with prejudice;

WHEREAS on February 5, 2014, FirstBank filed a notice of

appeal (the "2014 Appeal") from both the 2013 Order and the 2014 Order;

WHEREAS the 2014 Appeal has been filed and accepted as related to the 2013 Appeal, and the parties have agreed to consolidate the 2013 appeal with the 2014 Appeal;

WHEREAS the 2014 Appeal includes all of the substantive issues and record evidence from the 2013 Appeal; it is hereby

ORDERED that the Clerk of the Court shall close the docket of the 2013 Appeal (13 Civ. 4732) for administrative purposes and without prejudice to the parties; and it is further

ORDERED that all future filings be made on the docket of the 2014 Appeal (14 Civ. 1935).

Dated: New York, New York
March 26, 2014

A handwritten signature in black ink, appearing to read "Naomi Reice Buchwald", written over a horizontal line.

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

Attorneys for FirstBank Puerto Rico

Jeffrey A. Mitchell, Esq.
Judith R. Cohen, Esq.
Dickstein Shapiro LLP
1633 Broadway
New York, NY 10019-6708

Attorneys for Barclays Capital Inc.

Lindsee P. Granfield, Esq.
Boaz S. Morag, Esq.
Cleary Gottlieb Steen & Hamilton LLP
One Liberty Plaza
New York, NY 10006